IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.277 OF 2005
IN
L.P.A.NO.104 OF 2004
IN
WRIT PETITION NO.1428 OF 2004

Smt.Kirtida Mayur Doshi .. Applicant
V/s
Giriraj Co-op.Housing So.Ltd.& Ors. .. Respondents

Mr.P.G.Lad with Ms.Aparna Saraf for the Applicant.
Mr.C.R.Sonawane, AGP for the Respondent Nos.3, 4 & 5.

CORAM: DR.S.RADHAKRISHNAN &
SMT.V.K.TAHILRAMANI, JJ.

DATE : 25.11.2005.

P.C.:

1. Heard the learned Counsel for the Appellant and the learned AGP for Respondent Nos.3, 4 and 5. The learned Counsel for the Appellant points out that the Respondent Nos.1 and 2 have been duly served and he undertakes to file an affidavit of service. Nobody is present on behalf of Respondent Nos.1 and 2. By this Civil Application, the Applicant is seeking to set aside the order dated 28th March, 2005 whereby the L.P.A.was dismissed in default. Perused the Civil Application. For the reasons stated therein sufficient cause is made out for restoring the L.P.A. and for condoning the delay in filing the present Civil Application. There is no case of inaction, negligence or want of bonafide on the part of the Applicant. Hence, Civil Application is made absolute in terms of prayer clause (a) and (b).

(DR.S.RADHAKRISHNAN, J.)

(SMT.V.K.TAHILRAMANI, J.)